



July 20, 2020

VIA ELECTRONIC COURT FILING

Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

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The stay is continued. The parties are to advise the Court on the status of the case no later than November 20, 2020. SO ORDERED.

New York, NY
July 21, 2020

/s/ John G. Koeltl
John G. Koeltl
U.S.D.J.

Re: *Marcos Calcano v. Uniqlo USA, LLC*, Civil Action No. 19-cv-10438 –
Joint Request to Continue Stay

Dear Judge Koeltl:

We represent Uniqlo USA, LLC ("Defendant") in the above-captioned matter. On March 13, 2020, the Court stayed this action until July 31, 2020, and requested that "[t]he parties jointly advise the Court before July 31, 2020 with respect to a proposed schedule for further proceedings in this case." Dkt. No. 23 (the "Stay Order"). Pursuant to the Stay Order and Rule 1.E of Your Honor's Individual Practices and Rules, the parties jointly request a further stay of this action. The stay is requested to allow for the resolution of the consolidated appeals that are captioned *Mendez v. Ann Taylor, Inc.*, No. 20-1550, pending before the United States Court of Appeals for the Second Circuit. *Mendez* involves similar claims under Title III of the Americans with Disabilities Act based on the alleged failure to offer gift cards embossed with Braille lettering. It has also been put on the Expedited Appeals Calendar with the opening brief of Plaintiffs-Appellants filed on July 20, 2020, and Defendants-Appellees' response briefs due no later than August 24, 2020. *Mendez*, No. 20-1550, Dkt. No. 40.

A stay will allow the parties the benefit of the Second Circuit's guidance and has the potential to substantially conserve the resources of both the parties and Court. Stays have been granted by courts in this district on the same grounds. *Sosa v. Patagonia, Inc.*, No. 19-cv-10744, Dkt. No. 20 (S.D.N.Y. July 8, 2020); *Calcano v. L2T, Inc.*, No. 19-cv-11377, Dkt. No. 13 (S.D.N.Y. June 18, 2020); *Tucker v. Whole Foods Market Group, Inc.*, No. 19-cv-09842-RA, Dkt. No. 40 (S.D.N.Y. Jul. 1, 2020).

We appreciate Your Honor's consideration of this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "m slawe".

Meredith C. Slawe

cc: All counsel of record